S.B.Criminal Revision Petition No.984/2007

Smt. Sanpu
v.
State of Rajasthan & Ors.

Date of Order :: 23rd October, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. B.S.Deora, for the petitioner.
Mr. Vishnu Kachhawaha, Public Prosecutor.

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By this revision petition under Section 397 read with 401 Cr.P.C. a challenge is given to the validity, propriety and correctness of the order dated 17.8.2007 passed by learned Additional Sessions Judge (Fast Track), Jalore in Sessions Case No.79/2006 (34/2006) rejecting an application preferred under Section 319 Cr.P.C. for summoning respondents No.2 to 4 as additional accused.

I have perused the order impugned.

Learned court below rejected the application on the count that real position regarding alleged involvement of private respondents shall be much more clear after recording statements of Lachha.

The contention of counsel for the petitioner that irrespective of statements of Lachha the sufficient material was available to prove involvement

of private respondents in the offence. In my revisional jurisdiction I do not consider it appropriate to interfere with the order as the subordinate court has already left it open to examine involvement of the private respondents after recording statements of Shri Lachha.

In view of it, the revision petition is dismissed. However, it shall be open for the petitioner to move an application afresh under Section 319 Cr.P.C. after getting the statements of Shri Lachha recorded.

(GOVIND MATHUR),J.

Kkm/ps.